



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,300	12/05/2001	Vajid Husain Jafri	EXC111	5074
7590	12/13/2005			
ELLSWORTH R. ROSTON, ESQ. FULWIDER, PATTON, LEE & UTECHT, LLP HOWARD HUGHES CENTER 6060 CENTER DRIVE 10TH FLOOR LOS ANGELES, CA 90045			EXAMINER SALIARD, SHANNON S	
			ART UNIT	PAPER NUMBER
			3639	
DATE MAILED: 12/13/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/010,300	JAFRI ET AL.	
	Examiner	Art Unit	
	Shannon S. Saliard	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

2. **Claims 1 and 6** are objected to because of the following informalities:

As per **claim 1**, the acronym "GDS" is recited in the claim limitation. It is suggested that the applicant use the official name on the first reference, so that the meaning will be clear. If the applicant intend to use the acronym later in the in the claims, let readers know this by setting it off in parentheses directly after the first reference.

As per **claim 6**, the limitation "embodied jointly or severally" is recited. It appears that the applicant has made a typographical error. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claim 3** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **claim 3**, the limitation "the act of emulating a GDS terminal" as recited is vague and indefinite. It is unclear to the Office what the applicant is attempting to set forth.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-3, 6, and 7** are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al [US 2002/0152100 A1].

As per **claim 1**, Chen et al discloses a method of presenting offers of travel services comprising: (a.) providing a client computer having a human interface; (b.) inputting via the human interface, a request for details of travel services, the request being in a format intelligible to a GDS [0039] (c.) sending a first copy of the request to the GDS; (d.) sending, through Internet, a second copy of the request to a server computer; (e.) receiving, from the GDS, a first details of travel services; (f.) receiving, via Internet, from the server computer, a second details of travel services, the second details of travel services having been received by the server computer in response to at least one supplier response received by the server computer in response to a supplier request, from the server computer, to a supplier, wherein the supplier request is composed responsive to a data content of the request for services; and (g.) outputting, via the human interface, a representation of the first and the second details of travel services [0054].

As per **claim 2**, Chen et al further discloses wherein: the supplier response is a web response received from a supplier web site and the supplier request is a web request send via Internet [0038].

As per **claim 3**, Chen et al further discloses further comprising: the act of emulating a GDS terminal [0039].

As per **claim 6**, Chen et al discloses an article of manufacture comprising: at least one computer readable medium having computer readable program code

Art Unit: 3639

embodied jointly or severally thereon for causing a plurality of computers to perform the acts of: (a.) providing a human interface; (b.) inputting via the human interface, a request for details of travel services, the request being in a format intelligible to a GDS [0039]; (c.) sending a first copy of the request to the GDS; (d.) sending, through Internet, a second copy of the request to a server computer; (e.) receiving, from the GDS, a first details of travel services; (f.) receiving, via Internet, from the server computer, a second details of travel services, the second details of travel services having been received by the server computer in response to at least one web response received by the server computer in response to a web request, from the server computer, to a web site, wherein the web request is composed responsive to a data content of the request for services; and (g.) outputting, via the human interface, a representation of the first and the second details of travel services [0038; 0054].

As per **claim 7**, Chen et al discloses a computer system for presenting travel industry services comprising: a client computer; and a server computer communicating with the client computer using Internet; wherein the server computer and the client computer cooperatively exchange data and execute instructions for: (a.) providing a human interface; (b.) inputting via the human interface, a request for details of travel services, the request being in a format intelligible to a GDS [0039]; (c.) sending a first copy of the request to the GDS; (d.) sending, through Internet, a second copy of the request to a server computer; (e.) receiving, from the GDS, a first details of travel services; (f.) receiving, via Internet, from the server computer, a second details of travel services, the second details of travel services having been received by the server

computer in response to at least one web response received by the server computer in response to a web request, from the server computer, to a web site, wherein the web request is composed responsive to a data content of the request for services; and (g.) outputting, via the human interface, a representation of the first and the second details of travel services [0038; 0054].

7. **Claims 4 and 5** are rejected under 35 U.S.C. 102(b) as being anticipated by Acebo et al [U.S. Patent No. 6,023,679].

As per **claim 4**, Acebo et al discloses a method of generating an accounting record comprising the acts of: receiving in a client application program a reservation confirmation from Internet; reformatting the reservation confirmation according to a GDS (global distribution system) to create a reformatted reservation record; sending the reformatted reservation record to the GDS and receiving by an accounting application program, an accounting record sent by the GDS in response to receiving the reformatted reservation record [col 9, lines 11-24 and 39-65; col 11, lines 23-42].

As per **claim 5**, Acebo et al discloses a method of generating an accounting record comprising the acts of: receiving in a client workstation application program a reservation confirmation from Internet; reformatting, in a gateway, the reservation confirmation according to an accounting application program to create a reformatted reservation record; sending the reformatted reservation record to an accounting in an application system computer and receiving by the accounting application program, the

reformatted reservation record sent by the gateway [col 9, lines 11-24 and 39-65; col 11, lines 23-42].

Double Patenting

8. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

9. **Claims 1-3 and 5-7** are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-3, 5, 57, and 58 of copending Application No. 10/027,477. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the

Art Unit: 3639

responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

***Commissioner of Patents and Trademarks
Washington, D.C. 20231***

Or faxed to:

(571) 273-5587 [Informal/ Draft Communications, labeled

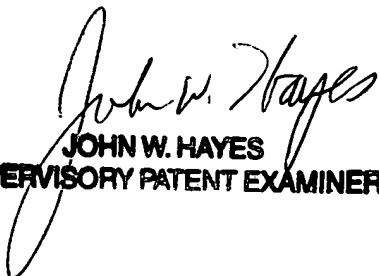
Art Unit: 3639

“PROPOSED” or “DRAFT”]

Hand delivered responses should be brought to the Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Shannon S Saliard
Examiner
Art Unit 3639

SSS


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER